

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Chemical Solvents, Inc.
3751 Jennings Road
Cleveland, Ohio 44109

ATTENTION:

Jerry Schill, Vice President of Operations
Anthony Datillo, EnviroMatrix

Request to Provide Information Pursuant to the Clean Air Act

The United States Environmental Protection Agency (EPA) is requiring Chemical Solvents, Inc. (CSI or you) to submit certain information about its Denison Avenue and Jennings Road off-site waste management operation in Cleveland, Ohio (plant site). Appendix C specifies the information that you must submit pertaining to the plant site. Appendix B contains instructions and definitions that you should use to provide the requested information. You must send a response to EPA within twenty-one (21) calendar days after you receive this request.

EPA is issuing this information request under section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

CSI (or its subsidiary) owns and operates the plant site, which includes emission sources. EPA is requesting this information to determine whether the emission sources located at the plant site are complying with the Clean Air Act.

You must send all required information to:

Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency - Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Under 40 C.F.R. Part 2, Subpart B, you may assert a claim of business confidentiality for any portion of the submitted information. You must specify the page, paragraph, and sentence when identifying the information subject to your claim. Appendix A specifies the assertion and substantiation requirements for business confidentiality claims.

CSI must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

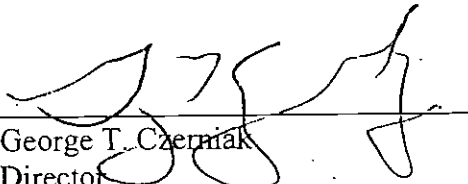
EPA may use any information submitted in response to this request in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide your response to this request for information without staples. Paper clips, binder clips, and 3-ring binders are acceptable.

Failure to comply fully with this request for information may subject CSI to an enforcement action under section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Katharina Bellairs at (312) 353-1669.

1/10/13
Date


George T. Czerniak
Director
Air and Radiation Division

Appendix A

Confidential Business Information (CBI) Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a legend to indicate the intent to claim confidentiality. The stamped or typed legend, or other suitable form of notice, should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date if any when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the U.S. Environmental Protection Agency only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

Emission data includes, but is not limited to, service records stating the amount of refrigerant added to a unit or reclaimed from a unit.

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Appendix B

When providing the information requested in Appendix C, use the following instructions and definitions.

INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question set forth in the Information Request.
2. Precede each answer with the number of the question and subpart to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
3. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question and subpart to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information are not available or in your possession and identify any source that either possesses or is likely to possess such information.
6. Whenever possible, provide responses in electronic (PDF) format.

DEFINITIONS

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. §§ 7401 *et. seq.*, 40 C.F.R. Part 52 (which incorporates the federally-approved State Implementation Plan (SIP)), or other Clean Air Act implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable provisions of the federally-approved SIP when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation

and support. All documents in hard copy should also include attachments to or enclosures with any document.

2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term "present" shall mean the date this request was received.
4. The term "CSI" shall mean Chemical Solvents, Inc and all subsidiaries and related entities.
5. The term "plant site" shall mean properties owned and operated by CSI located at 3751 Jennings Road and 1010 Old Denison Avenue, Cleveland, Ohio 44109.
6. The term "VRS" shall mean vapor recovery system.
7. The term "NOV/FOV" shall mean the Notice and Finding of Violation, dated September 28, 2012, that U.S. EPA, Region 5 issued to CSI.
8. The terms "J001" and "J002" shall mean the solvent loading rack at Denison with a VRS and the solvent loading rack at Jennings with a VRS, respectively, as listed in Condition C.1. of the Federally Enforceable Permit to Install and Operate, P0094783, the Ohio Environmental Protection Agency issued to CSI on August 16, 2011.
9. The terms "P001" and "P002" shall mean LUWA I and II, respectively, as listed in Condition C.3. of the Federally Enforceable Permit to Install and Operate, P0094783, the Ohio Environmental Protection Agency issued to CSI on August 16, 2011.
10. The term "VOC" shall mean volatile organic compound.
11. The term "or" shall mean and/or.
12. The singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun used, and vice versa; similarly, the use of any tense of a verb shall be construed to also include within its meaning all other tenses of the verb so used.

Appendix C

Provide the following documents or information using the instructions and definitions provided in Appendix B for the CSI plant site in Cleveland, Ohio:

1. List each process vent or off-site management unit, including any tank or loading vapor balance system, that is being routed to the VRS located at the portion of the plant site on Jennings Road.
2. List each process vent or off-site management unit, including any tank or loading vapor balance system, that is being routed to the VRS located at the portion of the plant site on Denison Avenue.
3. Provide a picture of and the name of the manufacturer and model number for the VRS located at the portion of the plant site on Jennings Road.
4. Provide the name of the manufacturer and model number for the new VRS that has replaced or will replace the VRS located at the portion of the plant site on Jennings Road. If the VRS located at the portion of the plant site on Jennings Road has been replaced prior to receipt of this information request, provide the date that the replacement VRS was installed. If the VRS located at the portion of the plant site on Jennings Road has not been replaced prior to receipt of this information request, provide the expected installation date of the replacement VRS.
5. Provide all documents and information relating to how CSI calculated a 90 percent control efficiency for the VRS located at the portion of the plant site on Jennings Road. This request includes but is not limited to:
 - a. Any emission factors used and the source of any such emission factors;
 - b. Any AP-42 emission factors used, including a reference to the chapter and subchapter of any such emission factors;
 - c. Any manufacturer data or other information related to the calculation of the control efficiency.
6. Provide all documents and information relating to how CSI calculated a 90 percent control efficiency for the VRS located at the portion of the plant site on Denison Avenue. This request includes but is not limited to:
 - a. Any emission factors used and the source of any such emission factors;
 - b. Any AP-42 emission factors used, including a reference to the chapter and subchapter of any such emission factors;

- c. Any manufacturer data or information related to the calculation of the control efficiency.
7. Provide an electronic, native copy of the spreadsheet on page CSI 000002 in the attachment to the letter, dated November 9, 2012, that CSI sent to EPA. Provide an explanation of the origin of input data. (We are not currently asking for the raw data.)
 8. Provide all documents and information relating to how the volatile organic compounds emissions factor of 3.002 pounds of VOC emissions per 1000 gallons was calculated by CSI in order to complete the potential to emit calculations for J001 and J002.
 9. Describe in detail how CSI calculated the potential to emit of 3.1 tons VOC per year for P001 and P002.
 10. Provide all documents and information relating to how CSI calculated the potential to emit of 3.1 tons VOC per year for P001 and P002.
 11. With respect to the tanks that EPA alleged were leaking in Paragraph 79 of the NOV/FOV, provide a list of any tanks that were empty or empty and cleaned on June 25, 2012 and June 26, 2012.
 12. Provide a complete list, referencing the specific tank at the plant site, of any tank conservation vents that have been replaced since EPA's inspection on June 25 and June 26, 2012.
 13. Describe in detail every location within the plant site to which the liquid stream from P002's vacuum pump has been transferred, following the water from collection sump to its ultimate destination, from December 1, 2011 to present. Additionally, if during this time period the liquid stream from P002's vacuum pump was transferred off-site, provide any records of such transfers.
 14. Provide all documents or information related to the constituents of the liquid stream from P002's vacuum pump, including any sampling records related to the collected liquid, from December 1, 2011 to present.
 15. Provide all records of the volume of the liquid stream from P002's vacuum pump, including the number of totes collected, from December 1, 2011 to present.
 16. Provide the date when the seal for P002's vacuum pump was replaced or is scheduled to be replaced, and the name of the manufacturer and model number of the replacement seal.